

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	4:05CR3029-1
v.)	
)	
CASEY J. FOSTER,)	TENTATIVE
)	FINDINGS
Defendant.)	
)	

I am in receipt of the presentence investigation report in this case. The parties had no objections to the presentence report. See Order of May 31, 2005. After consideration of the presentence report,

IT HEREBY IS ORDERED:

- (1) The parties are herewith notified that my tentative findings are that the presentence report is correct in all respects;
- (2) If any party wishes to challenge these tentative findings, said party shall, as soon as possible, but in any event at least five (5) business days before sentencing, file in the court file and serve upon opposing counsel and the court a motion challenging these tentative findings, supported by (a) such evidentiary materials as are required (giving due regard to the requirements of the local rules of practice respecting the submission of evidentiary materials), (b) a brief as to the law and (c) if an evidentiary hearing is requested, a statement describing why an evidentiary hearing is necessary and how long such a hearing would take;
- (3) Absent submission of the information required by paragraph 2 of this order, my tentative findings may become final;
- (4) Unless otherwise ordered, any motion challenging these tentative findings shall be resolved at sentencing.

DATED this 8th day of August, 2005.

BY THE COURT:

s/ *David L. Piester*

David L. Piester
United States Magistrate Judge